

## Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-03 H-02 INR-07 L-03

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R 230920Z JUN 75

FM AMCONSUL STUTTGART

TO SECSTATE WASHDC 2478

INFO USMISSION USBERLIN

AMCONSUL BREMEN

AMCONSUL DUESSELDORF

AMCONSUL FRANKFURT

AMCONSUL HAMBURG

AMCONSUL MUNICH

USEUCOM VAIHINGEN

USAREUR HEIDELBERG

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FOR POLADS

E.O. 11652: N/A

TAGS: PINS, GW

SUBJ: BAADER-MEINHOF DEFENDANTS CONTINUE DELAYING TACTICS

REF: STUTTGART 0560

1 SUMMARY: BAADER-MEINHOF TRIAL, SINCE RESUMPTION ON JUNE 5, CHARACTERIZED BY REPEATED AND VARIED DEFENSE EFFORTS TO DELAY OR MAKE TRIAL IMPOSSIBLE. LOCAL PUBLIC AND PRESS INTEREST IN TRIAL DECLINING. END SUMMARY.

2. WHEN BAADER-MEINHOF TRIAL RESUMED ON JUNE 5, ANDREAS

BAADER REQUESTED 5-DAY DELAY TO GIVE NEW LAWYER OF HIS CHOICE, FRANKFURT ATTORNEY HENS-HEINZ HELDMANN TIME TO  
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STUDY FILES. JUDGE GRANTED DELAY A FEW DAYS.

3. LAWYERS OF FOUR DEFENDANTS THEN CLAIMED ON JUNE 10 THEIR CLIENTS PHYSICALLY UNABLE TO STAND TRIAL. PRISON PHYSICIAN DR. HANK REJECTED THIS ASSERTION ALTHOUGH DEFENDENTS REFUSED TO LET HIM EXAMINE THEM AND REQUESTED EXAMINATION BY IMPARTIAL DOCTORS OF THEIR CHOICE. PRESIDING JUDGE PRINZING REJECTED THIS REQUEST.

4. MEANWHILE, GUDRUM ENSSLIN'S DEFENSE LAWYER OTTO SCHILY REQUESTED REMOVAL FROM TRIAL OF PRESIDING JUDGE PRINZING AND HIS DEPUTY, FOTH, ON GROUNDS OF PREJUDICE (BEFANGENHEIT). SCHILY ACCUSED JUDICIAL AUTHORITIES OF MANIPULATION IN CHOICE OF PRIZING AS PRESIDING JUDGE AND CLAIMED HE HAD BEEN ESPECIALLY SELECTED FOR JOB IN VIEW OF FORTHCOMING BAADER-MEINHOF TRIAL BEFORE SECOND SENATE. SCHILY ALSO ACCUSED PRINZING AND DEPUTY JUDGE FOTH OF BEING PARTLY GUILTY OF DEATH OF ANARCHIST HOLGER MEINS WHO DIED DURING HUNGER STRIKE IN WITTLICH PRISON. SCHILY CLAIMED PRINZING AND FOTH GUILTY OF NOT HAVING ARRANGE TIMELY TRANSFER OF PRISONER TO INTENSIVE CARE SECTION OF STUTTGART-STAMMHEIM PRISON. THIS DEFENSE EFFORT ALSO FAILED WHEN THE OTHER JUDGES OF THE SECOND SENATE REJECTED THE MOTION TO DISMISS PRINZING AND HIS DEPUTY.

5. IN ABSENCE SUBSTANTIVE DEVELOPMENTS, MEDIA COVERAGE AND PUBLIC INTEREST IN THE TRIAL SEEMS TO BE WANING, WITH NOTICEABLE DECLINE IN THE NUMBER OF MEDIA REPRESENTATIVES ATTENDING TRIAL.

6 COMMENT: DELAYING TACTICS OF DEFENDANTS COME AS NO SURPRISE (SEE REFTTEL). WHEN THEY SPEAK THEY DO SO IN PARTICULARLY FOUL LANGUAGE IN REFERENCE TO THEIR COURT - APPOINTED ATTORNEYS. IN ADDITION TO TRYING THE PATIENCE OF THE JUDGE'S THE DEFENDANTS ALSO MAY BE TRYING TO INVITE CONTEMPT OF COURT CHARGE AND THUS EMPLOY ADDITIONAL PROCEDURAL MEANS TO EFFECTIVELY DELAY TRIAL. JENKINS

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** TERRORISTS, TRIALS, COURT PROCEEDINGS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 23 JUN 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** ElyME  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1975STUTT00630  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D750217-0940  
**From:** STUTTGART  
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**Image Path:**  
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**Office:** ACTION EUR  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
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**Previous Channel Indicators:** n/a  
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**Reference:** 75 STUTTGART 0560  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** ElyME  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 30 MAY 2003  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <30 MAY 2003 by ShawDG>; APPROVED <17 OCT 2003 by ElyME>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
06 JUL 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** BAADER-MEINHOF DEFENDANTS CONTINUE DELAYING TACTICS  
**TAGS:** PINS, GE, BAADER-MEINHOF GROUP  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006